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7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 3A ENTERTAINMENT LTD. and LABCROFT
13 LTD.,

14 Plaintiffs,

15 v.

16 CONSTANT ENTERTAINMENT, INC. and
17 PHILIP HO,

18 Defendants.

Case No. CV 08-1274 PVT

**SUPPLEMENTAL
DECLARATION OF ALEXEI
KLESTOFF IN SUPPORT OF
REQUEST TO ENTER DEFAULT**

19 I, Alexei Klestoff, declare as follows:

20 1. I am an attorney licensed to practice law in the State of California and am admitted
21 to practice before this Court. I am associated with the law firm of Morrison & Foerster LLP,
22 counsel of record for plaintiffs in this action. I make this declaration based on personal
23 knowledge. If called as a witness, I would testify to the following facts:

24 2. Based on the results of investigation done at my request, I have determined that
25 defendant Philip Ho is not in the military service so as to be entitled to the benefits of the
26 Servicemembers Civil Relief Act (50 U.S.C. App. § 501 *et seq.*).

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct

3 Executed in San Francisco, California on the 18th day of April, 2008.

4
5 /s/ Alexei Klestoff

Alexei Klestoff